

# **EXHIBIT F**

**Elizabeth Blasier**

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**From:** Beynon, Rebecca A. [RBEYNON@khhte.com]  
**Sent:** Monday, April 14, 2008 6:54 AM  
**To:** SERVICE PENCOM  
**Subject:** Mediation

Andy,

We write in regard to your proposal concerning mediation of this dispute. Given the largely federal subject matter in our dispute, we think it's important that the parties agree upon a mediator who has practiced professionally in trademark and/or patent law, and before (or as a judge in) federal courts. We are hesitant to select Judge Ambler because his experience, although extensive, has been exclusively in the state court system.

We propose that the parties retain Retired Judge Edward Infante (also from JAMS), a former magistrate judge in the Northern District of California. Don Gagliardi's firm has worked with him in prior patent and trademark cases, and Don has informed us that he is has been a highly effective mediator with experience in patent-related disputes. Our firm has not worked with him previously, however. Judge Infante's background information is available at <http://www.jamsadr.com/neutrals/bio.asp?neutralid=1659>.

We look forward to hearing back from you regarding Judge Infante.

Regards,

Rebecca A. Beynon  
Kellogg, Huber, Hansen, Todd,  
Evans & Figel P.L.L.C.  
Sumner Square  
1615 M Street, N.W.  
Suite 400  
Washington, D.C. 20036  
Telephone: (202) 326-7934  
Facsimile: (202) 326-7999

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